

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
 THURGOOD MARSHALL U.S. COURT HOUSE
 40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe
 CLERK OF COURT

Date: 2/24/08
 Docket Number: 07-3790-pr
 Short Title: Tony-Velez v. Kelly

DC Docket Number: 07-cv-7166
 DC: SDNY (NEW YORK CITY)
 DC Judge: Honorable Kimba Wood

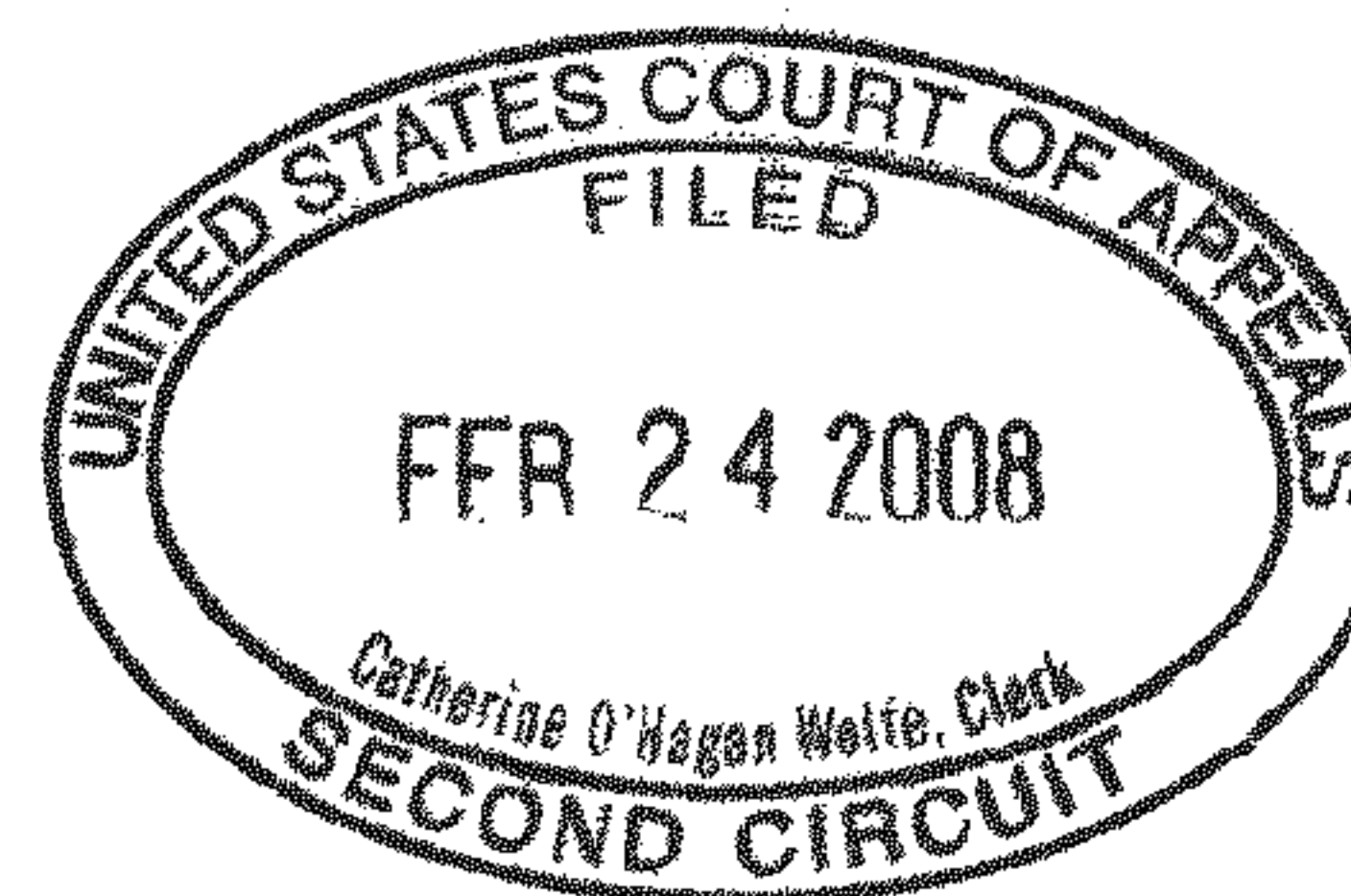
At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 24th day of February, two thousand eight.

Michael Tony Velez,
 Plaintiff-Appellant,

v.

James Kelly, also known as The Mariner, Robert Abrams, Mr. and Mrs. Lalli, Robert Morgenthau, Rudolph Guiliani, Brady Titcomb, Connie Velez, also known as Connie Kelley, Connie Stewart, Connie O'Driscio, Carmen Kelly, Carmen Stewart, New York Foundling, Dorsey & Whitney LLP., City and State of New York, John Does, Jane Does, all unlawfully residing at 257 Central Park West, John Doe Lawfirm,

Defendant-Appellees



The *Civil Appeals Management Plan* of this court directs that within ten (10) days after filing a Notice of Appeal, the appellant shall, inter alia, either pay the docketing fee or move for leave to proceed in forma pauperis, and that in the event of default of this requirement the Clerk may dismiss the appeal without further notice.

The appellant herein not having so proceeded, upon consideration thereof, it is **ORDERED** that the appeal from the order of 8/10/07 United States District Court for the Southern District of New York (NYC) be, and it hereby is **DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

For the Court:
 Catherine O'Hagan Wolfe, Clerk
 By: E. Eugene L. Martin
 Eugene L. Martin, Deputy Clerk

A TRUE COPY
 Catherine O'Hagan Wolfe, Clerk

by E. Eugene L. Martin
 DEPUTY CLERK

Certified:

FEB 24 2008

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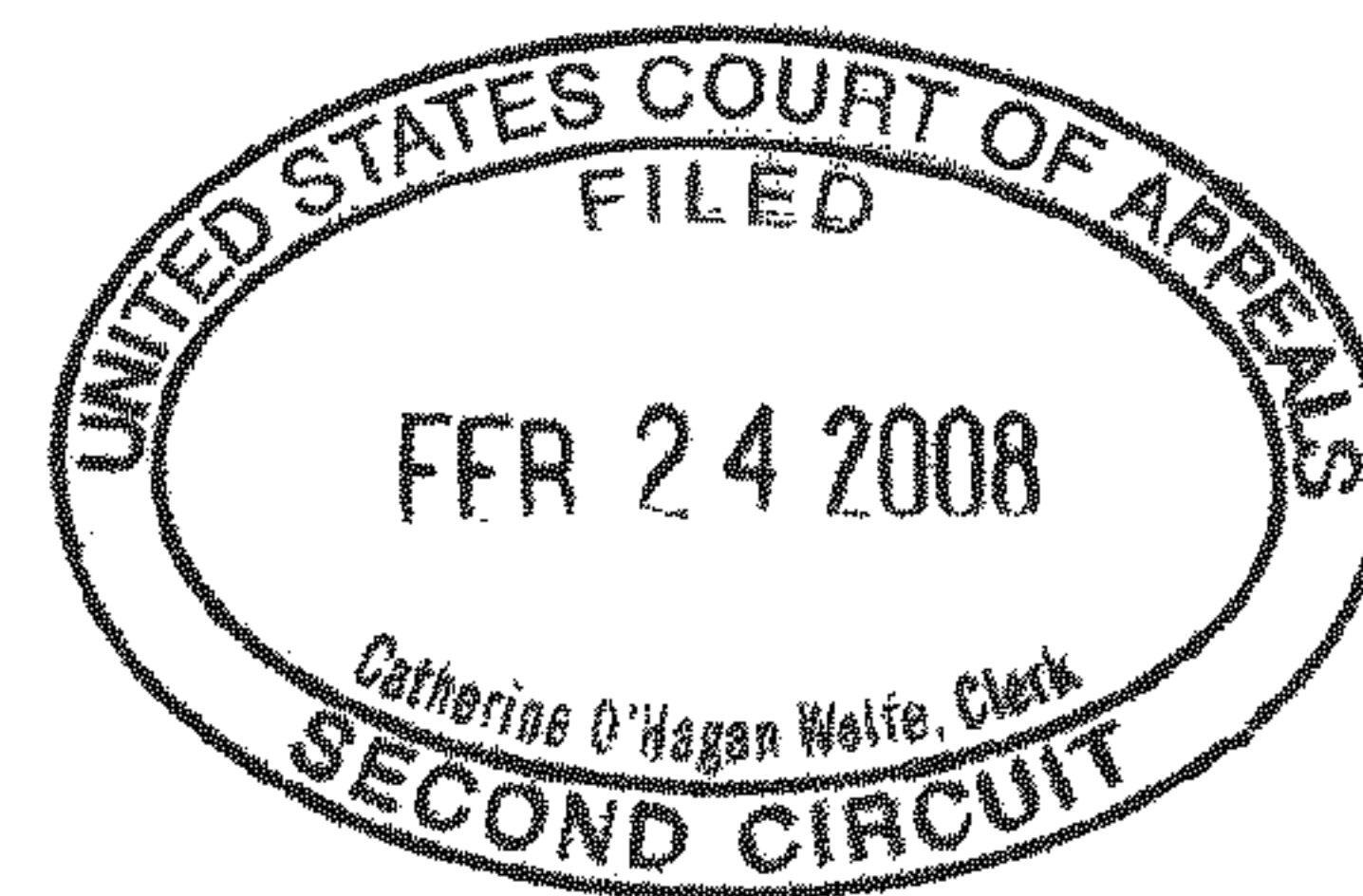
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THE MANDATE, CONSISTING OF
 ITEMS BELOW, HAS BEEN RECEIVED
 () OPINION () STATEMENT OF COSTS
 () ORDER
 RECEIVED BY: _____ DATE: _____

For the Court:
 Catherine O'Hagan Wolfe, Clerk
 By: E. Eugene Martin
 Eugene L. Martin, Deputy Clerk